

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

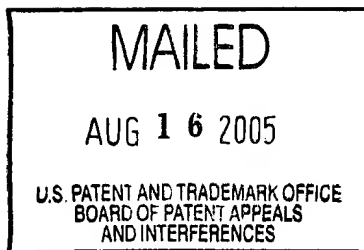
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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte GREGORY ROBERT ROELOFS

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Appeal No. 2005-2156  
Application 09/960,064

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ON BRIEF

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Before THOMAS, JERRY SMITH, and GROSS, Administrative Patent Judges.

THOMAS, Administrative Patent Judge.

DECISION ON APPEAL

Appellant has appealed to the Board from the examiner's final rejection of claims 1 through 18.

Representative claim 1 is reproduced below:

1. A rendering system comprising:

a force modeler that is configured to model forces that are applied to a glyph in dependence upon a placement of the glyph, and

a glyph positioner, operably coupled to the force modeler, that is configured to select a preferred placement of the glyph, based on the forces that are applied to the glyph at the preferred placement.

The following reference is relied on by the examiner:

Brassell et al. (Brassell)                      5,684,510                      Nov. 4, 1997

Claims 1 through 18 stand rejected under 35 U.S.C.

§ 102(b) as being anticipated by Brassell.

Rather than repeat the positions of the appellant and the examiner, reference is made to the Brief (no Reply Brief has been filed) for appellant's positions, and to the Answer for the examiner's positions.

#### OPINION

On the basis of the extensive and well-reasoned positions of the examiner in the Answer, we sustain the rejection of claims 1 through 18 under 35 U.S.C. § 102. We add the following to embellish upon the examiner's reasoning.

Appellant has presented arguments collectively as to system independent claim 1 and its method version in independent claim 10. Correspondingly, arguments are presented as well to dependent claims 4/13, 7/16 and 8/17.

Between pages 6-8 of the Brief, appellant argues essentially the subject matter set forth in each independent claim. Claim 1 on appeal is urged to be not taught by Brassell by simply stating that this reference is silent with respect to the glyph positioner and force modeler set forth in these respective independent claims. The extensive analysis and correlation by the examiner in his Answer leads us to conclude that based upon the weight of the evidence and arguments, the subject matter of the argued independent claims on appeal is anticipated by Brassell.

From our study of Brassell as well as the examiner's positions, we reproduce here portions of the Answer that are representative of the persuasive approach taken by the examiner:

Brassell describes a system that grid fits glyphs onto pixels in accordance with values P, J and K and pixel coverage values[,] which values force the glyph to one position or another position during grid fitting. Thus, Bassell teaches modeling forces to be exerted

onto the glyph in order to move the glyph to an integer pixel position. [Answer, page 3]

. . . . .

Applicant[']s broad claim language claims causing a change in the glyph's position by moving the glyph in a certain direction because the word force means to cause change or motion. Since the claim does not define how the force is calculated and does not define how a force is exerted onto the glyph, the glyph's position is merely changed with regards to the determined force which is merely a value that indicates change, then a prior art reference changing the position of a glyph by moving the glyph to a position with regards to a determined value meets the claim since the prior art reference determined values which indicated change. Moving the glyph causes a change in the position of the glyph. Determining the direction and distance to move the glyph is "modeling forces" that affect the glyph when the glyph is at its current position. [Answer, page 9]

Brassell determines the direction to move the glyph and changes the position of the glyph by moving the glyph in accordance with grid fitting. Column 4 lines 13-20 describes grid fitting by using hinting. Broadly[,]

one could state Brassells' grid fitting models forces which are applied to the glyphs forming the character in order to change the position of the glyphs. [Answer, page 9]

. . . . .

In summary[,]

the claims do not claim a specific force model, thus, the modeling of forces is to be given the broadest reasonable meaning. Brassell analyzes the placement of

the glyphs on the pixel grid in order to determine changes in position of the glyph that is needed. Appellant[']s claims analyze[] the placement of the glyphs in order to determine needed changes in the positions of the glyphs. Appellant[']s claims use the word ["]force["] but they do not claim a specific type of force. Force by its dictionary definition and in light of the specification is meant to be any analogous mechanical analogy that causes change or motion or movement of the glyph. Moving the glyph based upon pixel coverage by the values P, J and K and the grid fitting hinting values is an analogous mechanical analogy since the coverage of the glyph on the pixel determines whether the glyph is moved, see figures 2-3B, since the coverage of the glyph on a set of pixels determines whether the glyph is moved, see glyph 110 in figures 7 and 8, and since the coverage of adjacent glyphs on the pixel grid determines how the glyphs are moved relative to each other, see glyphs 110, 112 of figure 7 and glyph 110', 112' of figure 8. [Answer, pages 16-17]

As to appellant's arguments beginning at page 6 of the Brief, the examiner has addressed each of those that are set forth between pages 6 and 8 of the Brief. It appears to us that the appellant is essentially arguing nonanticipation of independent claims 1 and 10 because Brassell does not teach explicitly, in the same language, a force modeler and a glyph positioner. The examiner persuasively argues otherwise. Notwithstanding the fact that Brassell uses conventional "hinting"

techniques to modify the shape of a glyph, the examiner's reasoning makes clear that the reference teaches, in other words, a force modeler that effectively models forces that are applied to a glyph in dependence upon the placement of the glyph as claimed and, in effect, glyph positioning that is configured to select a preferred placement of the glyph based on forces that are applied to the glyph at the preferred placement as required by each independent claim 1 and 10 on appeal.

This Brassell patent is cited by appellant and discussed only briefly at specification, page 2, lines 18-26. At column 3, lines 63-67, of Brassell it is taught:

Thus, hinting by introducing slight distortions is one form of dropout control. Additionally, hinting controls alignment between character features and character spacing so that rendered characters appear properly and evenly spaced to the viewer.

Any arguments that hinting fails to teach the claimed force modeling and glyph positioning are misplaced because the hinting concepts, even though they introduce distortions, control alignment and spacing and otherwise deal with placement and position of the glyphs with respect to each other.

We are equally unpersuaded to the extent appellant argues that the word "modeled" or the term "model forces" argues for patentability over the teachings of Brassell. The mere manner of characterizing or presenting a metaphor or paradigm of appellant's inventive approach such as modeling does not necessarily mean that Brassell does not anticipate the subject matter as broadly recited. The "modeling" feature may be construed as taught at column 12, lines 54-58:

[T]he glyph descriptor is mathematically scaled from its font unit description to physical pixel coordinates at routine 46. Following this, the scaled descriptor is grid fitted, or hinted, to the physical pixel boundaries at routine 47.

The examiner has also persuasively argued that the term "forces" is undefined in the claims and that even if Brassell merely distorts the shapes of given glyphs, such as the comparison between Figures 7 and 8, the scope of the subject matter presented on appeal does not exclude the teachings as argued by the examiner from Brassell. The examiner has well explained that Brassell describes his system that grid fits glyphs to pixels in accordance with values which in effect force

Appeal No. 2005-2156  
Application 09/960,064

the glyph to one position or another during the grid fitting operations.

As to the arguments with respect to dependent claims 4/13, 7/16 and 8/17 on pages 8 and 9 of the Brief, we are unpersuaded of the patentability of them because of the persuasive arguments presented by the examiner in the Answer with respect to each of these claims correlating the claimed features to the features of Brassell. The arguments with respect to each of these claims merely present general arguments of patentability and fail to address the examiner's detailed correlations. No Reply Brief has been filed rebutting any of the examiner's positions in the Answer.

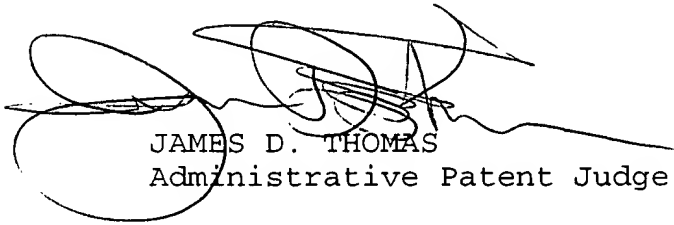
In view of the foregoing, the decision of the examiner rejecting claims 1 through 18 under 35 U.S.C. § 102 is affirmed.




Appeal No. 2005-2156  
Application 09/960,064

No time period for taking any subsequent action in connection with this appeal may be extended under 37 CFR § 1.136(a).

AFFIRMED

  
JAMES D. THOMAS  
Administrative Patent Judge

  
JERRY SMITH  
Administrative Patent Judge

  
ANITA PELLMAN GROSS  
Administrative Patent Judge

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Appeal No. 2005-2156  
Application 09/960,064

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